

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2108

March 30, 2009

SUMMARY OF BILL: Requires a law enforcement officer to have a search warrant issued upon showing of probable cause in order to attach a global positioning system (GPS) tracking device to the vehicle of a person suspected of a criminal offense. Attaching a GPS device to a suspect's vehicle constitutes a search as defined by the United States Constitution and the Tennessee Constitution.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Increase Local Expenditures – Not Significant

Assumptions:

- This bill will result in an increase in the number of search warrants that must be obtained. According to the Comptroller of the Treasury, the County Technical Assistance Service, and the Municipal Technical Advisory Service an increase in local expenditures is estimated to be not significant.
- The District Attorneys General Conference will have to draft additional search warrants. Additional assistant district attorney positions cannot be created or funded absent statutory authorization. This bill does not authorize the creation of more positions. Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Any impact on the state judicial system can be accommodated within existing resources.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/lsc